

United States District Court

EASTERN

DISTRICT OF

California

FILED

UNITED STATES OF AMERICA APR 29 2005

V.

CLERK U.S. DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA
BY _____ORDER SETTING CONDITIONS
OF RELEASE

Kevin Richard House

Defendant

Case Number: CRF 05-149 AWI

IT IS ORDERED that the release of the defendant is subject to the following conditions:

- (1) The defendant shall not commit any offense in violation of federal, state or local law while on release in this case.
- (2) The defendant shall immediately advise the court, defense counsel and the U.S. attorney in writing of any change in address and telephone number.
- (3) The defendant shall appear at all proceedings as required and shall surrender for service of any sentence

imposed as directed. The defendant shall next appear at (if blank, to be notified) US District Court

1130 O Street, Fresno CA on 5-9-05 at 9:00 ^{Place} Before
Judge Ishii ^{Date and Time}

Release on Personal Recognizance or Unsecured Bond

IT IS FURTHER ORDERED that the defendant be released provided that:

- (☒) (4) The defendant promises to appear at all proceedings as required and to surrender for service of any sentence imposed.
- (☒) (5) The defendant executes an unsecured bond binding the defendant to pay the United States the sum of fifty thousand dollars (\$ 50,000.00) in the event of a failure to appear as required or to surrender as directed for service of any sentence imposed.

(Def's appearance waived this Hearing only)

HOUSE, Kevin Richard
05-0079M

ADDITIONAL CONDITIONS OF RELEASE

Upon finding that release by one of the above methods will not by itself reasonably assure the appearance of the defendant and the safety of other persons and the community, it is FURTHER ORDERED that the release of the defendant is subject to the conditions marked below:

(X) (6) The defendant is placed in the custody of:

Name of person or organization Linda Falasca

who agrees (a) to supervise the defendant in accordance with all conditions of release, (b) to use every effort to assure the appearance of the defendant at all scheduled court proceedings, and (c) to notify the court immediately in the event the defendant violates any conditions of release or disappears.

SIGNED: 

CUSTODIAN OR PROXY

- (X) (7) The defendant shall:
- (X) (a) you shall report by telephone, to the Pretrial Services Agency on the first working day following your release from custody.
- (X) (b) you shall be released from the Fresno County Jail on May 1, 2005, @ 10:00 a.m., to Linda Falasca, who will transport you directly to Del Amo Hospital in Torrance, California, where you will arrive no later than 5:00 p.m.
- (X) (c) abide by the following restrictions on his personal associations, place of abode, or travel: You shall reside at the and participate in the Del Amo Hospital 42-day residential treatment program, as directed by program staff and Pretrial Services, at your own expense, and you shall not leave the facility, except to attend court hearings, without the prior approval of the PSO.
- (X) (d) you shall not use any device offering Internet access as a means of accessing any material that relates to the criminal activity charged in the pending allegations.
- (X) (e) report on a regular basis to the following agency: Pretrial Services and comply with their rules and regulations.
- (X) (f) submit to the search of your person, property, residence, and vehicle by the Pretrial Services Officer, and any other law enforcement officer under the immediate and personal supervision of the Pretrial Services Officer, without a search warrant.
- (X) (g) executed a bond or an agreement to forfeit upon failing to appear or failure to abide by any of the conditions of release, the following sum of money or designated property: A \$50,000 unsecured bond, signed by Linda Falasca.
- (X) (h) not access the Internet and you shall provide proof of the disconnection or termination of this service as required by the Pretrial Services Officer.
- (X) (i) you shall not use or possess a computer in your residence or at any other location unless otherwise approved by the Pretrial Services Officer.
- (X) (j) you shall not loiter or be found within 100 feet of any school yard, park, playground, arcade or other place primarily used by children under the age of 18.
- (X) (k) you shall not associate or have verbal, written, telephonic or electronic communication with any person who is under the age of 18, except in the presence of another adult who is the parent or legal guardian of the minor.
- (X) (l) you shall not be employed or participate in any volunteer activities in which there is the likelihood of contact with children under the age of 18.
- (X) (m) you shall not view or possess child pornography as defined by 18 USC 2256(8), except in the presence of your attorney to prepare for your defense.

Advice of Penalties and Sanctions

Violation of any of the foregoing conditions of release may result in the immediate issuance of a warrant for the defendant's arrest, a revocation of release, an order of detention, as provided in 18 U.S.C. §3148, and a prosecution for contempt as provided in 18 U.S.C. §401 which could result in a possible term of imprisonment or a fine.

The commission of any offense while on pretrial release may result in an additional sentence upon conviction for such offense to a term of imprisonment of not less than two years nor more than ten years, if the offense is a felony; or a term of imprisonment of not less than ninety days nor more than one year, if the offense is a misdemeanor. This sentence shall be consecutive to any other sentence and must be imposed in addition to the sentence received for the offense itself.

18 U.S.C. §1503 makes it a criminal offense punishable by up to five years of imprisonment and a \$250,000 fine to intimidate or attempt to intimidate a witness, juror or officer of the court; 18 U.S.C. §1510 makes it a criminal offense punishable by up to five years of imprisonment and a \$250,000 fine to obstruct a criminal investigation; 18 U.S.C. §1512 makes it a criminal offense punishable by up to ten years of imprisonment and a \$250,000 fine to tamper with a witness, victim or informant; and 18 U.S.C. §1513 makes it a criminal offense punishable by up to ten years of imprisonment and a \$250,000 fine to retaliate against a witness, victim or informant, or threaten or attempt to do so.

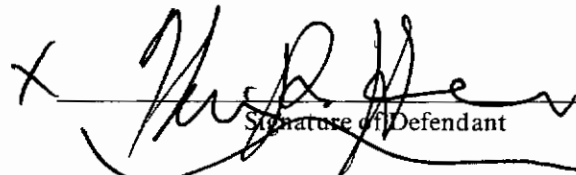
It is a criminal offense under 18 U.S.C. §3146, if after having been released, the defendant knowingly fails to appear as required by the conditions of release, or to surrender for the service of sentence pursuant to a court order. If the defendant was released in connection with a charge of, or while awaiting sentence, surrender for the service of a sentence, or appeal or certiorari after conviction, for:

- (1) an offense punishable by death, life imprisonment, or imprisonment for a term of fifteen years or more, the defendant shall be fined not more than \$250,000 or imprisoned for not more than ten years, or both;
- (2) an offense punishable by imprisonment for a term of five years or more, but less than fifteen years, the defendant shall be fined not more than \$250,000 or imprisoned for not more than five years, or both;
- (3) any other felony, the defendant shall be fined not more than \$250,000 or imprisoned not more than two years, or both;
- (4) a misdemeanor, the defendant shall be fined not more than \$100,000 or imprisoned not more than one year, or both.

A term of imprisonment imposed for failure to appear or surrender shall be consecutive to the sentence of imprisonment for any other offense. In addition, a failure to appear may result in the forfeiture of any bail posted.

Acknowledgement of Defendant

I acknowledge that I am the defendant in this case and that I am aware of the conditions of release. I promise to obey all conditions of release, to appear as directed, and to surrender for service of any sentence imposed. I am aware of the penalties and sanctions set forth above.

X 
 Signature of Defendant

 Address

 City and State Telephone

Directions to United States Marshal

- () The defendant is ORDERED released after processing.
- () The United States marshal is ORDERED to keep the defendant in custody until notified by the clerk or judicial officer that the defendant has posted bond and/or complied with all other conditions for release. The defendant shall be produced before the appropriate judicial officer at the time and place specified, if still in custody.

Date: 4/29/05


 Signature of Judicial Officer

 Name and Title of Judicial Officer